

IN THE BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

.....day, 20.....

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION DECLARING SURPLUS THE COUNTY'S REAL PROPERTY INTEREST
IN THE 12TH STREET/FERN CANYON ROAD "STRIP" AND AUTHORIZING THE
EXECUTION OF QUITCLAIM DEEDS OF COUNTY OWNED REAL PROPERTY
LOCATED IN THE UNINCORPORATED AREA NEAR PASO ROBLES TO THE
ADJACENT PROPERTY OWNERS**

The following Resolution is hereby offered and read:

WHEREAS, the County owns a strip of real property located outside the City Limits of Paso Robles; and

WHEREAS, on November 10, 2004 the County's interest in the 12th Street/Fern Canyon Road "Strip" (hereinafter "Fern Canyon Road Strip") was vacated by Resolution No. 2004-356, recorded as Document No. 2004-099353; and

WHEREAS, the County holds fee title to the previously vacated Fern Canyon Road Strip; and

WHEREAS, pursuant to Streets and Highways Code Section 8355, this Board of Supervisors is authorized to sell or exchange its interest in a vacated street, upon terms and conditions approved by said Board; and

WHEREAS, two private properties lie adjacent to the Fern Canyon Road Strip and are identified as Assessor's Parcels 018-191-001 and 018-191-066 and the owners of said properties have requested that the County convey the Fern Canyon Road Strip to them by recording deeds conveying the Fern Canyon Road Strip; and

WHEREAS, the County Right of Way Agent has determined that the Fern Canyon Road Strip of real property is of nominal value; and

WHEREAS, the proposed conveyances have been reviewed by the pertinent functional units of County Government to assure that the properties are not required for County use; and

WHEREAS, the County Planning Director previously considered the proposed disposal of the Fern Canyon Road Strip and reported on October 19, 2004 to the County Planning Commission that said disposal is in conformity with the General Plan; and

WHEREAS, the County Planning Director further considered the proposed conveyance pursuant to County Code Section 21.02.010 (a) (9) and determined that said conveyance constitutes a Legal Public Lot and does not require a Voluntary Lot Merger; and

WHEREAS, the County Environmental Coordinator considered the proposed disposal by said conveyances and determined that the proposal has no potential for significant environmental effect pursuant to Section 15206(b)(4) and is therefore Categorically Exempt as evidenced by issuing a Notice of Exemption ED11-002 dated July 11, 2011; and

WHEREAS, it is in the public interest that the hereinafter described portion of said County real property be disposed by conveyance as proposed.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California as follows:

1. That the recitals set forth above are true and correct.
2. That this Board finds, from all of the evidence submitted, that the Fern Canyon Road Strip, being more particularly described in Exhibits A and B and shown on Exhibit C (map), each attached hereto and made a part hereof, is unnecessary for present or prospective County use and is hereby declared to be County surplus real property.
3. That prior to adopting this resolution, this Board considered the General Plan and the recommendation of the Planning Director that the disposal of said Fern Canyon Road Strip is in conformity with the General Plan.
4. That this project is not subject to CEQA, per CEQA Guidelines, Section 15206(b)(4).
5. The Chairperson is hereby authorized and instructed to execute the Quitclaim Deeds of County surplus real property as presented.
6. The County Real Property Manager is hereby authorized and directed to execute any remaining related documents or procedures necessary to close the transactions associated

with these real property interests.

7. That the County Clerk of the County of San Luis Obispo be and hereby is ordered and directed to record a certified copy of this resolution and Quitclaim Deeds attested by the Clerk under seal, in the Office of the County Recorder of the County of San Luis Obispo, State of California.

Upon Motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted. _____
Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

Warren R. Jensen
County Counsel

By:  _____
Deputy County Counsel

Date: August 2, 2012

EXHIBIT "A"

That portion of real property being a strip of land approximately 40 feet wide westerly of the City of Paso Robles, County of San Luis Obispo, State of California, which lies southerly of and coincident with 12th Street, County Road No. 5253 (former road numbers 327 and 31031) being that portion of Villa Lot 84 of Rancho El Paso de Robles as shown on the map of part of said Rancho filed for record at Book "A" of Maps at Page 169 in the Recorder's Office in the County of San Luis Obispo, State of California and being more particularly described as follows:

Beginning at the northeast corner of Lot 7 shown as WC30 on the "Map of Re-subdivision of Villa Lots 15, 16 and 17 of Bennett and Bailey's Subdivision of Part of Deer Park" and filed for record in Book "A" of Maps at Page 116 in the County Recorder's Office of said County;

thence, northwesterly along the north line of said Lot 7 to point B3, said point being the northwest corner of said Lot 7 and also being the northeast corner of a parcel of land conveyed to Gerald E. and Thelma H. Esmond by deed dated May 27, 1959 and recorded June 10, 1959 in Volume 1005 at Page 448 of Official Records of said County; thence, along the north line of said Esmond parcel the following bearings and distances:

North 76°50' West, 229.02 feet;

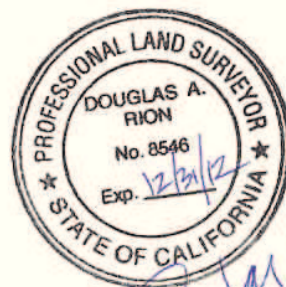
thence, North 87°50' West, 734.58 feet;

thence, North 02° 10' East, 39.60 feet to the south line of said County Road No. 5253;

thence, southeasterly along the south line of said County road to a point on said south line from which aforementioned point WC30 bears South 35°40' West, a distance of 40 feet more or less;

thence, South 35°40' West to the Point of Beginning.

Except therefrom that portion of said strip lying westerly of the northerly prolongation of the westerly line of said Lot 7.



Douglas A. Rion
4-12-2011

East (York)

EXHIBIT "B"

That portion of real property being a strip of land approximately 40 feet wide westerly of the City of Paso Robles, County of San Luis Obispo, State of California, which lies southerly of and coincident with 12th Street, County Road No. 5253 (former road numbers 327 and 31031) being that portion of Villa Lot 84 of Rancho El Paso de Robles as shown on the map of part of said Rancho filed for record at Book "A" of Maps at Page 169 in the Recorder's Office in the County of San Luis Obispo, State of California and being more particularly described as follows:

Beginning at the northeast corner of Lot 7 shown as WC30 on the "Map of Re-subdivision of Villa Lots 15, 16 and 17 of Bennett and Bailey's Subdivision of Part of Deer Park" and filed for record in Book "A" of Maps at Page 116 in the County Recorder's Office of said County;

thence, northwesterly along the north line of said Lot 7 to point B3, said point being the northwest corner of said Lot 7 and also being the northeast corner of a parcel of land conveyed to Gerald E. and Thelma H. Esmond by deed dated May 27, 1959 and recorded June 10, 1959 in Volume 1005 at Page 448 of Official Records of said County; thence, along the north line of said Esmond parcel the following bearings and distances:

North 76°50' West, 229.02 feet;

thence, North 87°50' West, 734.58 feet;

thence, North 02° 10' East, 39.60 feet to the south line of said County Road No. 5253;

thence, southeasterly along the south line of said County road to a point on said south line from which aforementioned point WC30 bears South 35°40' West, a distance of 40 feet more or less;

thence, South 35°40' West to the Point of Beginning.

Except therefrom that portion of said strip lying easterly of the northerly prolongation of the westerly line of said Lot 7.



West (Esmond)

EXHIBIT C

AREA TO BE QUITCLAIMED

VISIONS
DATE
09-05-09-05
02-09-09
03-30-10

